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DOC #:
DATE FILED: 3/31/17

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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WELLS FARGO BANK, N.A., AS TRUSTEE
FOR THE REGISTERED HOLDERS OF
CREDIT SUISSE FIRST BOSTON MORTGAGE
SECURITIES CORP., COMMERCIAL
MORTGAGE PASS-THROUGH
CERTIFICATES, SERIES 2005-C2, BY AND
THROUGH ITS SPECIAL SERVICER,
CWCAPITAL ASSET MANAGEMENT LLC,

Plaintiff,

v.

390 PARK AVENUE ASSOCIATES, LLC; et al

Defendants.
-----X

SO ORDERED


HON. LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

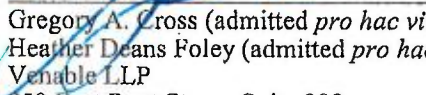
Case No.: 16-cv-09112 (LGS)

**STIPULATION OF DISMISSAL OF
HARRY LIS, ABY J. ROSEN AND MICHAEL FUCHS WITHOUT PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(2), Plaintiff Wells Fargo Bank, N.A., as Trustee for the Registered Holders of Credit Suisse First Boston Mortgage Securities Corp., Commercial Mortgage Pass-Through Certificates, Series 2005-C2, by and through its Special Servicer, CWCapital Asset Management LLC ("Plaintiff") and Defendants Harry Lis ("Mr. Lis"), Aby J. Rosen ("Mr. Rosen") and Michael Fuchs ("Mr. Fuchs"), by and through their respective undersigned counsel, hereby stipulate and agree that Messrs. Lis, Rosen and Fuchs shall be dismissed from the above-captioned action, *without prejudice*. This dismissal is without prejudice to any and all rights, claims or causes of action the Plaintiff may hold, now or in the future, against Messrs. Lis, Rosen and Fuchs, including, but not limited to any such rights, claims or causes of action arising under that certain Guaranty Agreement dated as of March 9, 2005 executed by Messrs. Lis, Rosen and Fuchs, including, but not limited to, the right, if any, to a deficiency

judgment pursuant to New York Real Property Actions and Law § 1371; and Messrs. Lis, Rosen and Fuchs hereby waive the right to assert this dismissal as a defense in any subsequent action pursuant to the Guaranty Agreement.

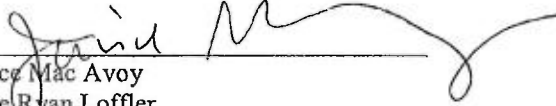
STIPULATED AND AGREED this 30th day of March, 2017:


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